

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

[PROPOSED] TURNOVER ORDER

-against-

Criminal Docket
No. 19-CR-286

(Donnelly, J.)

ROBERT S. KELLY,

Defendant.

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WHEREAS, defendant Robert S. Kelly was convicted at trial of one count of racketeering and multiple counts sex trafficking in violation of the Mann Act.

WHEREAS, on June 29, 2022, the Court sentenced the defendant to thirty years in custody as a result of that conviction.

WHEREAS, as part of the sentence, the Court imposed a special assessment of \$900, a fine of \$100,000, and a JTVA assessment of \$40,000.

WHEREAS, the defendant is subject to a mandatory order of restitution in the full amount of the victim's losses for violations of 18 U.S.C. § 2421. *See* 18 U.S.C. § 2259.

WHEREAS, pursuant to the Crime Victims' Rights Act, 18 U.S.C. § 3771(a)(6) and (b)(1), the Court shall ensure that crime victims are afforded their rights to full and timely restitution as provided in law.

WHEREAS, the Court has scheduled a hearing to determine restitution for September 28, 2022.

WHEREAS, as of August 4, 2022, the special assessment of \$900, a fine of \$100,000, and a JTVA assessment of \$40,000 remain fully unpaid.

WHEREAS, as of August 4, 2022, the Bureau of Prisons has restrained \$27,828.24 of the funds on deposit in the defendant's inmate trust account,

IT IS HEREBY ORDERED as follows:

1. Within ten days of the date of this order, the Bureau of Prisons shall issue a check to the Clerk of the Court for the Eastern District of New York for \$ 27,828.24. The check shall be made payable to the "Clerk of the Court, EDNY" and shall reference "U.S. v. Kelly, 19-cr-286." The Check shall be mailed to:

CLERK OF THE COURT
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

2. The Clerk of the Court shall deposit this money into an interest-bearing account pending the determination by the Court as to the amount and applicability of restitution.

3. Once restitution is determined by the Court, the Clerk of the Court shall apply the monies held in said interest-bearing account first to the \$900 special assessment and then to the restitution judgment, as required by 18 U.S.C. § 3613(c).

4. Should restitution not be imposed, or should the amount held in the interest-bearing account exceed the amount of restitution and special assessments imposed, the balance of the monies in the interest-bearing account shall be applied first to the \$100,000 fine and then to the \$40,000 JVT A assessment, as required by 18 U.S.C. §§ 3613(c) and 3014

Dated: Brooklyn, New York
August __, 2022

HONORABLE ANN M. DONNELLY
UNITED STATES DISTRICT JUDGE